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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ELLSWORTH THOMAS WHINERY,)	Case No.: 2:24-cv-00008-DJA
)	
Plaintiff,)	STIPULATION AND PROPOSED
)	ORDER FOR DISMISSAL
vs.)	
)	
MARTIN O'MALLEY,)	
Commissioner of Social Security,)	
)	
Defendant.)	
)	

TO THE HONORABLE DANIEL J. ALBREGTS, MAGISTRATE JUDGE
OF THE DISTRICT COURT:

IT IS HEREBY STIPULATED, by and between Ellsworth Thomas Whinery
("Plaintiff") and MARTIN O'MALLEY as the Commissioner of Social

Security (“Defendant”), that this matter be dismissed with prejudice, each party to bear its own fees, costs, and expenses. The parties enter into this stipulation pursuant to the terms of F.R.Civ.P. Rule 41(a)(1)(A)(ii) and 41(a)(1)(B).

DATE: April 3, 2024

Respectfully submitted,

LAW OFFICES OF LAWRENCE D. ROHLFING, INC., CPC

/s/ *Marc V. Kalagian*¹

BY:

Marc V. Kalagian

Attorney for plaintiff Ellsworth Thomas Whinery

DATE: April 3, 2024

JASON M. FRIERSON

United States Attorney

/s/ *Franco L. Becia*

FRANCO L. BECIA

Special Assistant United States Attorney

Attorneys for Defendant MARTIN O'MALLEY,

Commissioner of Social Security

(Per e-mail authorization)

ORDER

IT IS SO ORDERED. The Clerk of Court is kindly directed to close this case.

DATE: 4/4/2024

THE HONORABLE DANIEL J. ALBREGTS
UNITED STATES MAGISTRATE JUDGE

¹ Counsel for the plaintiff attests that all other signatories listed, and on whose behalf the filing is submitted, concur in the filing's content and have authorized the filing.

**CERTIFICATE OF SERVICE
FOR CASE NUMBER 2:24-CV-00008-DJA**

I hereby certify that I electronically filed the foregoing with the Clerk of the Court for this court by using the CM/ECF system on April 3, 2024.

I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

/s/ Marc V. Kalagian

Marc V. Kalagian
Attorneys for Plaintiff